



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,923	04/30/2001	Sergey Brin	0026-0002	9916

44989 7590 07/21/2005

HARRITY & SNYDER, LLP
11240 WAPLES MILL ROAD
SUITE 300
FAIRFAX, VA 22030

EXAMINER

AIRES, BENJAMIN A

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 07/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,923

Applicant(s)

BRIN, SERGEY

Examiner

Benjamin A. Ailes

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the Amendment and Response to Restriction Requirement filed 02 May 2005.
2. Claims 18-33 remain pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff (U.S. 6,247,047) in view of Unold et al. (U.S. 2002/0055880 A1), hereinafter referred to as Unold.
5. Regarding claims 18, 26, and 28, Wolff discloses the use of a standard company logo (col. 8, lines 35-40), associating one or more search terms with the company logo (col. 8, lines 43-48), uploading the company logo to a web page (col. 8, lines 38-40), receiving a user selection of the company logo (col. 8, lines 58-62), and providing search results relating to the logo in response to the user selection (col. 9, lines 1-7). Wolff discloses the main idea of using a company logo, being able to modify the company logo, and associating a search term along with it, but does not explicitly disclose in the modifying step of modifying the standard company logo to become a special event logo. However, Unold discloses the ability and method of altering a standard company logo to become a special event logo in accordance with a special

event (Page 1, column 2, paragraph [0007]). One of ordinary skill in the art would have found it useful to combine the method of modifying a standard company logo to become a special event logo as disclosed by Unold because Unold provides a method wherein company logos and advertisements can be changed quickly and efficiently to correspond with market and sales trends (Page 1, column 2, paragraph [0007]). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to implement the methods of modifying a company logo as disclosed by Unold and combine them with the standard company logo displaying method disclosed by Wolff.

6. Regarding claims 19 and 20, Unold discloses the ability to modify the logo with animated images, video, and audio data (page 3, column 2, paragraph [0047], lines 9-13). The motivation used to combine Wolff and Unold in the rejection of claim 18 applies equally as well to claims 19 and 20.

7. Regarding claim 21, Unold discloses the special event including a holiday (page 1, column 1, paragraph [0007]). The motivation used to combine Wolff and Unold in the rejection of claim 18 applies equally as well to claim 21.

8. Regarding claim 22, Wolff discloses the use of a search term but Wolff does not explicitly disclose the search term being related to the special event because Wolff does not explicitly disclose the step of modifying a company logo to become a special event logo as explained in the rejection of claim 18. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to associate the search term with the special event in the combination of Wolff and Unold because Wolff alone

associates the search term with the company logo, so in combination of Wolff and Unold, the search term would have to be related to the special event logo in some sort of way. It is for this reason that one of ordinary skill in the art would have been motivated to associate the search term with the special event.

9. Regarding claim 23, Unold discloses the ability to schedule when a special event logo is to be displayed (page 2, column 2, paragraph [0018]). The motivation used to combine Wolff and Unold in the rejection of claim 18 applies equally as well to claim 23.

10. Regarding claim 24, Wolff discloses the method of generating a search query using the one or more search terms (col. 9, lines 1-8), using the search query to search at least one of a network, an index, or a directory (col. 9, lines 1-8), and obtaining search results based on the search (col. 9, lines 9-15).

11. Regarding claim 25, Wolff discloses determining a home page for the web page on a network (col. 8, lines 35-40) and identifying the standard company logo on the home page (col. 8, lines 35-40), but does not explicitly disclose in the modifying step of modifying the standard company logo to become a special event logo. However, Unold discloses the ability and method of altering a standard company logo to become a special event logo in accordance with a special event (Page 1, column 2, paragraph [0007]). One of ordinary skill in the art would have found it useful to combine the method of modifying a standard company logo to become a special event logo as disclosed by Unold because Unold provides a method wherein company logos and advertisements can be changed quickly and efficiently to correspond with market and sales trends (Page 1, column 2, paragraph [0007]). It is for this reason that one of

Art Unit: 2142

ordinary skill in the art at the time of the applicant's invention would have been motivated to implement the methods of modifying a company logo as disclosed by Unold and combine them with the standard company logo displaying method disclosed by Wolff.

12. Claim 27 contains similar subject matter and is rejected under the same rationale as claims 18 and 25.

13. Claim 29 contains similar subject matter and is rejected under the same rationale as claim 19.

14. Claim 30 contains similar subject matter and is rejected under the same rationale as claim 20.

15. Claim 31 contains similar subject matter and is rejected under the same rationale as claim 21.

16. Claim 32 contains similar subject matter and is rejected under the same rationale as claim 22.

17. Claim 33 contains similar subject matter and is rejected under the same rationale as claim 24.

Response to Arguments

18. Applicant's arguments filed 02 May 2005 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baum (U.S. 2002/0065741 A1) discloses a method of distributing images to multiple recipients.

Bollay (U.S. 6,457,009 B1) discloses a method of searching multiple Internet resident databases using search fields in a generic form.

Tognazzini et al. (U.S. 6,519,584) disclose advertising displays such as found in mass transit vehicles or stations or in electronic newspapers are provided with user directed search capabilities.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on M-F 7:30-5, First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2142

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

baa


BEATRIZ PRIETO
PRIMARY EXAMINER